

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

\*\*\*\*\*  
Janet Marie DelFuoco, \*  
\*  
Plaintiff, \*  
v. \* Case No. 1:19-cv-01245-JD  
\*  
Richard Tracy, \*  
\*  
Defendant. \*  
\*  
\*\*\*\*\*

**MOTION TO EXTEND ANSWER DEADLINE**

Richard Tracy, by and through the New Hampshire Attorney General's Office, respectfully requests a ten-day extension to answer or otherwise plead. In support of this request, Defendant Tracy states as follows:

1. On June 24, 2020, Magistrate Judge Johnstone issued an order directing service of plaintiff Janet Delfuoco's complaint on Defendant Tracy. *See* ECF Doc. No. 4. Consistent with the agreement for acceptance of service between the New Hampshire Attorney General and the Clerk of Court, Defendant Tracy's deadline to answer or otherwise plead is August 14, 2020.

2. Defendant Tracy requests a ten-day extension of this deadline to August 24, 2020. Undersigned counsel has had several competing litigation deadlines, both in this Court and in state court, that have limited his ability to prepare a responsive pleading or Rule 12 motion. Additionally, counsel was under the weather during the early part of this week, which further limited his ability to prepare a responsive filing in this case, particularly given that it required that he take certain additional childcare and work-related precautions in light of the COVID-19 pandemic. In light of these circumstances, good cause exists for a brief extension of the answer deadline in this case.

3. Defense counsel has sought Ms. DelFuoco's assent to the requested extension, but has not received a response at the time of this filing. *See* LR 7.1(c)

WHEREFORE, Defendant Tracy respectfully requests that this Honorable Court:

- A. Extend his deadline to answer or otherwise plead by ten days to August 24, 2020; and
- B. Grant such further relief as the Court deems just and equitable.

Respectfully submitted,

Richard Tracy

By his attorney,

GORDON J. MACDONALD  
ATTORNEY GENERAL

Dated: August 14, 2020

/s/ Samuel Garland  
Samuel R.V. Garland, Bar #266273  
Assistant Attorney General  
Civil Bureau  
New Hampshire Department of Justice  
(603) 271-3650  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion to Extend was sent on August 14, 2020, postage prepaid, to:

Janet DelFuoco  
259 Bow Street  
Northwood, NH 03261

/s/ Samuel Garland  
Samuel R.V. Garland